

**United States Bankruptcy Court**  
**Northern District of Texas**

In re Congress Materials, LLC  
 Debtor

Case No. 10-37526

Chapter 11

**SUMMARY OF SCHEDULES**

Indicate as to each schedule whether that schedule is attached and state the number of pages in each. Report the totals from Schedules A, B, D, E, F, I, and J in the boxes provided. Add the amounts from Schedules A and B to determine the total amount of the debtor's assets. Add the amounts of all claims from Schedules D, E, and F to determine the total amount of the debtor's liabilities. Individual debtors must also complete the "Statistical Summary of Certain Liabilities and Related Data" if they file a case under chapter 7, 11, or 13.

NAME OF SCHEDULE	ATTACHED (YES/NO)	NO. OF SHEETS	ASSETS	LIABILITIES	OTHER
A - Real Property	Yes	1	2,600,000.00		
B - Personal Property	Yes	3	6,537,281.50		
C - Property Claimed as Exempt	No	0			
D - Creditors Holding Secured Claims	Yes	3		7,627,000.00	
E - Creditors Holding Unsecured Priority Claims (Total of Claims on Schedule E)	Yes	3		698,894.87	
F - Creditors Holding Unsecured Nonpriority Claims	Yes	9		2,681,188.48	
G - Executory Contracts and Unexpired Leases	Yes	1			
H - Codebtors	Yes	3			
I - Current Income of Individual Debtor(s)	No	0			N/A
J - Current Expenditures of Individual Debtor(s)	No	0			N/A
Total Number of Sheets of ALL Schedules		23			
Total Assets			9,137,281.50		
Total Liabilities				11,007,083.35	

**United States Bankruptcy Court**  
**Northern District of Texas**

In re Congress Materials, LLC  
 Debtor

Case No. 10-37526

Chapter 11

**STATISTICAL SUMMARY OF CERTAIN LIABILITIES AND RELATED DATA (28 U.S.C. § 159)**

If you are an individual debtor whose debts are primarily consumer debts, as defined in § 101(8) of the Bankruptcy Code (11 U.S.C. § 101(8)), filing a case under chapter 7, 11 or 13, you must report all information requested below.

- ☐ Check this box if you are an individual debtor whose debts are NOT primarily consumer debts. You are not required to report any information here.

**This information is for statistical purposes only under 28 U.S.C. § 159.**

**Summarize the following types of liabilities, as reported in the Schedules, and total them.**

Type of Liability	Amount
Domestic Support Obligations (from Schedule E)	
Taxes and Certain Other Debts Owed to Governmental Units (from Schedule E)	
Claims for Death or Personal Injury While Debtor Was Intoxicated (from Schedule E) (whether disputed or undisputed)	
Student Loan Obligations (from Schedule F)	
Domestic Support, Separation Agreement, and Divorce Decree Obligations Not Reported on Schedule E	
Obligations to Pension or Profit-Sharing, and Other Similar Obligations (from Schedule F)	
TOTAL	

**State the following:**

Average Income (from Schedule I, Line 16)	
Average Expenses (from Schedule J, Line 18)	
Current Monthly Income (from Form 22A Line 12; OR, Form 22B Line 11; OR, Form 22C Line 20)	

**State the following:**

1. Total from Schedule D, "UNSECURED PORTION, IF ANY" column		
2. Total from Schedule E, "AMOUNT ENTITLED TO PRIORITY" column		
3. Total from Schedule E, "AMOUNT NOT ENTITLED TO PRIORITY, IF ANY" column		
4. Total from Schedule F		
5. Total of non-priority unsecured debt (sum of 1, 3, and 4)		

In re      Congress Materials, LLC

Case No.      10-37526

Debtor

SCHEDULE A - REAL PROPERTY

Except as directed below, list all real property in which the debtor has any legal, equitable, or future interest, including all property owned as a cotenant, community property, or in which the debtor has a life estate. Include any property in which the debtor holds rights and powers exercisable for the debtor's own benefit. If the debtor is married, state whether husband, wife, both, or the marital community own the property by placing an "H," "W," "J," or "C" in the column labeled "Husband, Wife, Joint, or Community." If the debtor holds no interest in real property, write "None" under "Description and Location of Property."

**Do not include interests in executory contracts and unexpired leases on this schedule. List them in Schedule G - Executory Contracts and Unexpired Leases.**

If an entity claims to have a lien or hold a secured interest in any property, state the amount of the secured claim. See Schedule D. If no entity claims to hold a secured interest in the property, write "None" in the column labeled "Amount of Secured Claim." If the debtor is an individual or if a joint petition is filed, state the amount of any exemption claimed in the property only in Schedule C - Property Claimed as Exempt.

Description and Location of Property	Nature of Debtor's Interest in Property	Husband, Wife, Joint, or Community	Current Value of Debtor's Interest in Property, without Deducting any Secured Claim or Exemption	Amount of Secured Claim
Site Lease & Permits - 3637 Castle Dr. Garland, TX		-	1,400,000.00	1,750,000.00
Site Lease & Permits - 11650 Mosier Valley Rd., Eueless, TX		-	1,200,000.00	1,750,000.00

0 continuation sheets attached to the Schedule of Real Property

Sub-Total >      2,600,000.00      (Total of this page)

Total >      2,600,000.00

(Report also on Summary of Schedules)

In re Congress Materials, LLCCase No. 10-37526Debtor**SCHEDULE B - PERSONAL PROPERTY**

Except as directed below, list all personal property of the debtor of whatever kind. If the debtor has no property in one or more of the categories, place an "x" in the appropriate position in the column labeled "None." If additional space is needed in any category, attach a separate sheet properly identified with the case name, case number, and the number of the category. If the debtor is married, state whether husband, wife, both, or the marital community own the property by placing an "H," "W," "J," or "C" in the column labeled "Husband, Wife, Joint, or Community." If the debtor is an individual or a joint petition is filed, state the amount of any exemptions claimed only in Schedule C - Property Claimed as Exempt.

**Do not list interests in executory contracts and unexpired leases on this schedule. List them in Schedule G - Executory Contracts and Unexpired Leases.**

If the property is being held for the debtor by someone else, state that person's name and address under "Description and Location of Property." If the property is being held for a minor child, simply state the child's initials and the name and address of the child's parent or guardian, such as "A.B., a minor child, by John Doe, guardian." Do not disclose the child's name. See, 11 U.S.C. § 112 and Fed. R. Bankr. P. 1007(m).

Type of Property	N O N E	Description and Location of Property	Husband, Wife, Joint, or Community	Current Value of Debtor's Interest in Property, without Deducting any Secured Claim or Exemption
1. Cash on hand		Scale Houses	-	1,000.00
2. Checking, savings or other financial accounts, certificates of deposit, or shares in banks, savings and loan, thrift, building and loan, and homestead associations, or credit unions, brokerage houses, or cooperatives.		Allegiance Bank	-	4,312.81
		Patriot Bank (Green Aggregates)	-	938.53
		Equity Bank (Acct#1126507)	-	23.01
		Equity Bank (Acct#1126606)	-	7.15
3. Security deposits with public utilities, telephone companies, landlords, and others.	X			
4. Household goods and furnishings, including audio, video, and computer equipment.	X			
5. Books, pictures and other art objects, antiques, stamp, coin, record, tape, compact disc, and other collections or collectibles.	X			
6. Wearing apparel.	X			
7. Furs and jewelry.	X			
8. Firearms and sports, photographic, and other hobby equipment.	X			
9. Interests in insurance policies. Name insurance company of each policy and itemize surrender or refund value of each.	X			
10. Annuities. Itemize and name each issuer.	X			

Sub-Total > 6,281.50  
(Total of this page)

2 continuation sheets attached to the Schedule of Personal Property

In re Congress Materials, LLCCase No. 10-37526

Debtor

## SCHEDULE B - PERSONAL PROPERTY

(Continuation Sheet)

Type of Property	N O N E	Description and Location of Property	Husband, Wife, Joint, or Community	Current Value of Debtor's Interest in Property, without Deducting any Secured Claim or Exemption
11. Interests in an education IRA as defined in 26 U.S.C. § 530(b)(1) or under a qualified State tuition plan as defined in 26 U.S.C. § 529(b)(1). Give particulars. (File separately the record(s) of any such interest(s). 11 U.S.C. § 521(c).)	X			
12. Interests in IRA, ERISA, Keogh, or other pension or profit sharing plans. Give particulars.	X			
13. Stock and interests in incorporated and unincorporated businesses. Itemize.	X			
14. Interests in partnerships or joint ventures. Itemize.	X			
15. Government and corporate bonds and other negotiable and nonnegotiable instruments.	X			
16. Accounts receivable.		Trade A/R	-	633,000.00
17. Alimony, maintenance, support, and property settlements to which the debtor is or may be entitled. Give particulars.	X			
18. Other liquidated debts owed to debtor including tax refunds. Give particulars.	X			
19. Equitable or future interests, life estates, and rights or powers exercisable for the benefit of the debtor other than those listed in Schedule A - Real Property.	X			
20. Contingent and noncontingent interests in estate of a decedent, death benefit plan, life insurance policy, or trust.	X			
21. Other contingent and unliquidated claims of every nature, including tax refunds, counterclaims of the debtor, and rights to setoff claims. Give estimated value of each.		XTO/J & W Sand & Gravel, Inc - Claim for impairment of Leasehold	-	Unknown

Sub-Total > 633,000.00  
(Total of this page)

Sheet 1 of 2 continuation sheets attached  
to the Schedule of Personal Property

In re Congress Materials, LLCCase No. 10-37526

Debtor

## SCHEDULE B - PERSONAL PROPERTY

(Continuation Sheet)

Type of Property	NON E	Description and Location of Property	Husband, Wife, Joint, or Community	Current Value of Debtor's Interest in Property, without Deducting any Secured Claim or Exemption
22. Patents, copyrights, and other intellectual property. Give particulars.	X			
23. Licenses, franchises, and other general intangibles. Give particulars.		Air Permits, Storm Water at Garland Plant & Mosier Valley	-	Unknown
24. Customer lists or other compilations containing personally identifiable information (as defined in 11 U.S.C. § 101(41A)) provided to the debtor by individuals in connection with obtaining a product or service from the debtor primarily for personal, family, or household purposes.	X			
25. Automobiles, trucks, trailers, and other vehicles and accessories.		2009 GMC Sierra 1/2 Ton Pickup	-	25,000.00
		2008 Ford F-250; 2008 Ford F-250; 2007 Ford F-250; 2006 Ford F-250; 2007 Ford F-150	-	12,000.00
26. Boats, motors, and accessories.	X			
27. Aircraft and accessories.	X			
28. Office equipment, furnishings, and supplies.		Office Furniture in Bridgeport Office and Scalehouses	-	10,000.00
29. Machinery, fixtures, equipment, and supplies used in business.		All Equipment at Locations included on secured schedules	-	5,000,000.00
30. Inventory.		Raw Materials and Finished Goods	-	851,000.00
31. Animals.	X			
32. Crops - growing or harvested. Give particulars.	X			
33. Farming equipment and implements.	X			
34. Farm supplies, chemicals, and feed.	X			
35. Other personal property of any kind not already listed. Itemize.	X			

Sub-Total > 5,898,000.00  
(Total of this page)

Total > 6,537,281.50

(Report also on Summary of Schedules)

Sheet 2 of 2 continuation sheets attached  
to the Schedule of Personal Property

In re Congress Materials, LLCCase No. 10-37526

Debtor

**SCHEDULE D - CREDITORS HOLDING SECURED CLAIMS**

State the name, mailing address, including zip code, and last four digits of any account number of all entities holding claims secured by property of the debtor as of the date of filing of the petition. The complete account number of any account the debtor has with the creditor is useful to the trustee and the creditor and may be provided if the debtor chooses to do so. List creditors holding all types of secured interests such as judgment liens, garnishments, statutory liens, mortgages, deeds of trust, and other security interests.

List creditors in alphabetical order to the extent practicable. If a minor child is a creditor, the child's initials and the name and address of the child's parent or guardian, such as "A.B., a minor child, by John Doe, guardian." Do not disclose the child's name. See, 11 U.S.C. §112 and Fed. R. Bankr. P. 1007(m). If all secured creditors will not fit on this page, use the continuation sheet provided.

If any entity other than a spouse in a joint case may be jointly liable on a claim, place an "X" in the column labeled "Codebtor", include the entity on the appropriate schedule of creditors, and complete Schedule H - Codebtors. If a joint petition is filed, state whether the husband, wife, both of them, or the marital community may be liable on each claim by placing an "H", "W", "J", or "C" in the column labeled "Husband, Wife, Joint, or Community".

If the claim is contingent, place an "X" in the column labeled "Contingent". If the claim is unliquidated, place an "X" in the column labeled "Unliquidated". If the claim is disputed, place an "X" in the column labeled "Disputed". (You may need to place an "X" in more than one of these three columns.)

Total the columns labeled "Amount of Claim Without Deducting Value of Collateral" and "Unsecured Portion, if Any" in the boxes labeled "Total(s)" on the last sheet of the completed schedule. Report the total from the column labeled "Amount of Claim" also on the Summary of Schedules and, if the debtor is an individual with primarily consumer debts, report the total from the column labeled "Unsecured Portion" on the Statistical Summary of Certain Liabilities and Related Data.

☐ Check this box if debtor has no creditors holding secured claims to report on this Schedule D.

CREDITOR'S NAME AND MAILING ADDRESS INCLUDING ZIP CODE, AND ACCOUNT NUMBER (See instructions above.)	C O D E B T O R	H U S B A N D W I F E J O I N T C O M M U N I T Y	DATE CLAIM WAS INCURRED, NATURE OF LIEN, AND DESCRIPTION AND VALUE OF PROPERTY SUBJECT TO LIEN	C O N T I N G E N T	U N L I Q U I D A T E D	D I S P U T E D	AMOUNT OF CLAIM WITHOUT DEDUCTING VALUE OF COLLATERAL	UNSECURED PORTION, IF ANY
Account No. x090.2; x090.3; x090.5  Bank of the Ozarks 17901 Chenal Parkway Little Rock, AR 72223	X	-	Volvo Excavator, Conveyors, GMC Service Truck  Value \$ 105,000.00				105,000.00	0.00
Account No. xxx8.001; xxx8.004  Chiron Equities 1001 Fannin Street Suite 4775 Houston, TX 77002		-	BOTO Notes - Pegson 1412 Trahpactor Rock Crusher; 1995 Volvo L330C  Value \$ 380,000.00				380,000.00	0.00
Account No.  City of Garland Finance Dept. PO Box 469002 Garland, TX 75046		-	Eagle 1400 Rock Crusher  Value \$ 250,000.00				225,000.00	0.00
Account No. xxxxxx1724,xxxxxx1401,xx1419  Continental Bank 15 W. South Temple Suite 420 Salt Lake City, UT 84101	X	-	Komatsu Excavator/ two JD250 Haul trucks/2 Int'l water trucks/grizzly feeder/pulleys and cross collateralized with Congress Sand & Gravel obligations  Value \$ 620,000.00				620,000.00	0.00
Subtotal (Total of this page)							1,330,000.00	0.00

2 continuation sheets attached

In re Congress Materials, LLCCase No. 10-37526

Debtor

## SCHEDULE D - CREDITORS HOLDING SECURED CLAIMS

(Continuation Sheet)

CREDITOR'S NAME AND MAILING ADDRESS INCLUDING ZIP CODE, AND ACCOUNT NUMBER (See instructions.)	C O D E B O R	H W J C	Husband, Wife, Joint, or Community  DATE CLAIM WAS INCURRED, NATURE OF LIEN, AND DESCRIPTION AND VALUE OF PROPERTY SUBJECT TO LIEN	C O N T I N G E N T	U N L I Q U I D A T E D	D I S P U T E D	AMOUNT OF CLAIM WITHOUT DEDUCTING VALUE OF COLLATERAL	UNSECURED PORTION, IF ANY
Account No. x0153  Equity Bank 5220 Spring Valley Rd Dallas, TX 75254		-	Assumption of 1,000,000 SBA Note; Assumption of 3,500,000 SBA Note    Value \$ 250,000.00				4,500,000.00	4,250,000.00
Account No.  Ford Motor Credit Corp PO Box 650575 Dallas, TX 75265		-	Five Ford Pickup Trucks; (2) 2008 Ford F-250; (1) 2007 Ford F-250; (1) 2006 Ford F-250; (1) 2007 Ford F-250   Value \$ 12,000.00				60,000.00	48,000.00
Account No. xxxxxxxxx03 AA  John Deere Credit P.O. Box 650215 Dallas, TX 75265		-	OHA 2275 Impactor   Value \$ 10,000.00				30,000.00	20,000.00
Account No. xx-xxxxxxx2088  John Deere Credit 23176 Network Place Chicago, IL 60673		-	JD 200C Excavator and Kent Impactor   Value \$ 100,000.00				82,000.00	0.00
Account No.  Presidential Financial Corp. 3460 Preston Ridge Rd Suite 550 Alpharetta, GA 30005	X	-	Revolving line of credit secured by A/R; Inventory; Garland Site Lease 3637 Castle Drive, Garland, Texas; Mosier Valley Site Lease 11650 Mosier Valley Road, Euless, TX; Terex Truck; Land from Affiliate of Debtor in Arizona  Value \$ 4,000,000.00				1,600,000.00	0.00
Subtotal (Total of this page)							6,272,000.00	4,318,000.00

Sheet 1 of 2 continuation sheets attached to  
Schedule of Creditors Holding Secured Claims



In re Congress Materials, LLCCase No. 10-37526

Debtor

## SCHEDULE D - CREDITORS HOLDING SECURED CLAIMS

(Continuation Sheet)

CREDITOR'S NAME AND MAILING ADDRESS INCLUDING ZIP CODE, AND ACCOUNT NUMBER (See instructions.)	C O D E B O R	H W J C	Husband, Wife, Joint, or Community  DATE CLAIM WAS INCURRED, NATURE OF LIEN, AND DESCRIPTION AND VALUE OF PROPERTY SUBJECT TO LIEN	C O N T I N G E N T	U N L I Q U I D A T E D	D I S P U T E D	AMOUNT OF CLAIM WITHOUT DEDUCTING VALUE OF COLLATERAL	UNSECURED PORTION, IF ANY
Account No. 2447			2009 GMC 1/2 Ton Sierra Pickup Truck					
US Bank PO Box 790179 St Louis, MO 63179	X	-						
			Value \$ 25,000.00				25,000.00	0.00
Account No.								
			Value \$					
Account No.								
			Value \$					
Account No.								
			Value \$					
Account No.								
			Value \$					
Subtotal (Total of this page)							25,000.00	0.00
Total (Report on Summary of Schedules)							7,627,000.00	4,318,000.00

Sheet 2 of 2 continuation sheets attached to  
Schedule of Creditors Holding Secured Claims

In re Congress Materials, LLCCase No. 10-37526Debtor**SCHEDULE E - CREDITORS HOLDING UNSECURED PRIORITY CLAIMS**

A complete list of claims entitled to priority, listed separately by type of priority, is to be set forth on the sheets provided. Only holders of unsecured claims entitled to priority should be listed in this schedule. In the boxes provided on the attached sheets, state the name, mailing address, including zip code, and last four digits of the account number, if any, of all entities holding priority claims against the debtor or the property of the debtor, as of the date of the filing of the petition. Use a separate continuation sheet for each type of priority and label each with the type of priority.

The complete account number of any account the debtor has with the creditor is useful to the trustee and the creditor and may be provided if the debtor chooses to do so. If a minor child is a creditor, state the child's initials and the name and address of the child's parent or guardian, such as "A.B., a minor child, by John Doe, guardian." Do not disclose the child's name. See, 11 U.S.C. § 112 and Fed. R. Bankr. P. 1007(m).

If any entity other than a spouse in a joint case may be jointly liable on a claim, place an "X" in the column labeled "Codebtor," include the entity on the appropriate schedule of creditors, and complete Schedule H-Codebtors. If a joint petition is filed, state whether the husband, wife, both of them, or the marital community may be liable on each claim by placing an "H," "W," "J," or "C" in the column labeled "Husband, Wife, Joint, or Community." If the claim is contingent, place an "X" in the column labeled "Contingent." If the claim is unliquidated, place an "X" in the column labeled "Unliquidated." If the claim is disputed, place an "X" in the column labeled "Disputed." (You may need to place an "X" in more than one of these three columns.)

Report the total of claims listed on each sheet in the box labeled "Subtotals" on each sheet. Report the total of all claims listed on this Schedule E in the box labeled "Total" on the last sheet of the completed schedule. Report this total also on the Summary of Schedules.

Report the total of amounts entitled to priority listed on each sheet in the box labeled "Subtotals" on each sheet. Report the total of all amounts entitled to priority listed on this Schedule E in the box labeled "Totals" on the last sheet of the completed schedule. Individual debtors with primarily consumer debts report this total also on the Statistical Summary of Certain Liabilities and Related Data.

Report the total of amounts not entitled to priority listed on each sheet in the box labeled "Subtotals" on each sheet. Report the total of all amounts not entitled to priority listed on this Schedule E in the box labeled "Totals" on the last sheet of the completed schedule. Individual debtors with primarily consumer debts report this total also on the Statistical Summary of Certain Liabilities and Related Data.

☐ Check this box if debtor has no creditors holding unsecured priority claims to report on this Schedule E.

**TYPES OF PRIORITY CLAIMS** (Check the appropriate box(es) below if claims in that category are listed on the attached sheets)☐ **Domestic support obligations**

Claims for domestic support that are owed to or recoverable by a spouse, former spouse, or child of the debtor, or the parent, legal guardian, or responsible relative of such a child, or a governmental unit to whom such a domestic support claim has been assigned to the extent provided in 11 U.S.C. § 507(a)(1).

☐ **Extensions of credit in an involuntary case**

Claims arising in the ordinary course of the debtor's business or financial affairs after the commencement of the case but before the earlier of the appointment of a trustee or the order for relief. 11 U.S.C. § 507(a)(3).

☐ **Wages, salaries, and commissions**

Wages, salaries, and commissions, including vacation, severance, and sick leave pay owing to employees and commissions owing to qualifying independent sales representatives up to \$11,725\* per person earned within 180 days immediately preceding the filing of the original petition, or the cessation of business, whichever occurred first, to the extent provided in 11 U.S.C. § 507(a)(4).

☐ **Contributions to employee benefit plans**

Money owed to employee benefit plans for services rendered within 180 days immediately preceding the filing of the original petition, or the cessation of business, whichever occurred first, to the extent provided in 11 U.S.C. § 507(a)(5).

☐ **Certain farmers and fishermen**

Claims of certain farmers and fishermen, up to \$5,775\* per farmer or fisherman, against the debtor, as provided in 11 U.S.C. § 507(a)(6).

☐ **Deposits by individuals**

Claims of individuals up to \$2,600\* for deposits for the purchase, lease, or rental of property or services for personal, family, or household use, that were not delivered or provided. 11 U.S.C. § 507(a)(7).

☒ **Taxes and certain other debts owed to governmental units**

Taxes, customs duties, and penalties owing to federal, state, and local governmental units as set forth in 11 U.S.C. § 507(a)(8).

☐ **Commitments to maintain the capital of an insured depository institution**

Claims based on commitments to the FDIC, RTC, Director of the Office of Thrift Supervision, Comptroller of the Currency, or Board of Governors of the Federal Reserve System, or their predecessors or successors, to maintain the capital of an insured depository institution. 11 U.S.C. § 507(a)(9).

☐ **Claims for death or personal injury while debtor was intoxicated**

Claims for death or personal injury resulting from the operation of a motor vehicle or vessel while the debtor was intoxicated from using alcohol, a drug, or another substance. 11 U.S.C. § 507(a)(10).

\* Amount subject to adjustment on 4/01/13, and every three years thereafter with respect to cases commenced on or after the date of adjustment.

In re Congress Materials, LLCCase No. 10-37526

Debtor

# **SCHEDULE E - CREDITORS HOLDING UNSECURED PRIORITY CLAIMS** (Continuation Sheet)

Taxes and Certain Other Debts  
Owed to Governmental Units

TYPE OF PRIORITY

CREDITOR'S NAME, AND MAILING ADDRESS INCLUDING ZIP CODE, AND ACCOUNT NUMBER (See instructions.)	C O D E B O R	H U S B A N D, W I F E, J O I N T, O R C O M M U N I T Y	D A T E C L A I M W A S I N C U R R E D A N D C O N S I D E R A T I O N F O R C L A I M	C O N T I N G E N T	U N L I Q U I D A T E D	D I S P U T E D	A M O U N T O F C L A I M	AMOUNT NOT ENTITLED TO PRIORITY, IF ANY
								AMOUNT ENTITLED TO PRIORITY
Account No.			Originally Claim of Green Aggregates					
Cooke County Appraisal District 104 West Main Gainseville, TX 76240	-						7,000.00	
							7,000.00	0.00
Account No.								
IRS - Trust Fund PO Box 21126 Philadelphia, PA 19114	-						254,861.92	
							254,861.92	0.00
Account No.			Originally Claim of Green Aggregates - 2006-2008 Withholding Taxes					
IRS - Trust Fund PO Box 21126 Philadelphia, PA 19114	-						329,769.00	
							329,769.00	0.00
Account No.								
Texas - Comptroller Capital Station Austin, TX 78774-0100	-					X	44,101.32	
							44,101.32	0.00
Account No.			Originally Claim of Green Aggregates - Sales Tax of Green Aggregates 2006-2008					
Texas - Comptroller Capital Station Austin, TX 78774-0100	-						38,000.00	
							38,000.00	0.00
Subtotal								673,732.24
(Total of this page)							673,732.24	0.00

Sheet 1 of 2 continuation sheets attached to  
Schedule of Creditors Holding Unsecured Priority Claims

In re Congress Materials, LLCCase No. 10-37526

Debtor

# **SCHEDULE E - CREDITORS HOLDING UNSECURED PRIORITY CLAIMS** (Continuation Sheet)

Taxes and Certain Other Debts  
Owed to Governmental Units

TYPE OF PRIORITY

CREDITOR'S NAME, AND MAILING ADDRESS INCLUDING ZIP CODE, AND ACCOUNT NUMBER (See instructions.)	C O D E B O R R	H W J C	Husband, Wife, Joint, or Community	C O N T I N G E N T	U N L I Q U I D A T E D	D I S P U T E D	AMOUNT OF CLAIM	AMOUNT NOT ENTITLED TO PRIORITY, IF ANY
								AMOUNT ENTITLED TO PRIORITY
Account No.								
Texas Workforce Commission 101 East 15th St Austin, TX 78778-0001		-					11,162.63	11,162.63
							0.00	0.00
Account No.			Originally Claim of Green Aggregates					
Texas Workforce Commission 101 East 15th St Austin, TX 78778-0001		-					14,000.00	14,000.00
							0.00	0.00
Account No.								
Account No.								
Account No.								
Subtotal							25,162.63	25,162.63
(Total of this page)							0.00	0.00
Total							698,894.87	698,894.87
(Report on Summary of Schedules)							0.00	0.00

Sheet 2 of 2 continuation sheets attached to  
Schedule of Creditors Holding Unsecured Priority Claims

In re Congress Materials, LLCCase No. 10-37526

Debtor

**SCHEDULE F - CREDITORS HOLDING UNSECURED NONPRIORITY CLAIMS**

State the name, mailing address, including zip code, and last four digits of any account number, of all entities holding unsecured claims without priority against the debtor or the property of the debtor, as of the date of filing of the petition. The complete account number of any account the debtor has with the creditor is useful to the trustee and the creditor and may be provided if the debtor chooses to do so. If a minor child is a creditor, state the child's initials and the name and address of the child's parent or guardian, such as "A.B., a minor child, by John Doe, guardian." Do not disclose the child's name. See, 11 U.S.C. §112 and Fed. R. Bankr. P. 1007(m). Do not include claims listed in Schedules D and E. If all creditors will not fit on this page, use the continuation sheet provided.

If any entity other than a spouse in a joint case may be jointly liable on a claim, place an "X" in the column labeled "Codebtor," include the entity on the appropriate schedule of creditors, and complete Schedule H - Codebtors. If a joint petition is filed, state whether the husband, wife, both of them, or the marital community may be liable on each claim by placing an "H," "W," "J," or "C" in the column labeled "Husband, Wife, Joint, or Community."

If the claim is contingent, place an "X" in the column labeled "Contingent." If the claim is unliquidated, place an "X" in the column labeled "Unliquidated." If the claim is disputed, place an "X" in the column labeled "Disputed." (You may need to place an "X" in more than one of these three columns.)

Report the total of all claims listed on this schedule in the box labeled "Total" on the last sheet of the completed schedule. Report this total also on the Summary of Schedules and, if the debtor is an individual with primarily consumer debts, report this total also on the Statistical Summary of Certain Liabilities and Related Data.

☐ Check this box if debtor has no creditors holding unsecured claims to report on this Schedule F.

CREDITOR'S NAME, MAILING ADDRESS INCLUDING ZIP CODE, AND ACCOUNT NUMBER (See instructions above.)	C O D E B T O R	Husband, Wife, Joint, or Community	C O N T I N G E N T	U N L I Q U I D A T E D	D I S P U T E D	AMOUNT OF CLAIM
		H W J C				
Account No.  A&W Bearings & Supply Co PO Box 561069 Dallas, TX 75356-1070		-				2,911.48
Account No.  Airgas Southwest, Inc. P O Box 676031 Dallas, TX 75267		-				2,024.00
Account No.  Austin Powder Company 307 CR 1347 Chico, TX 76431		-				22,048.19
Account No.  Azle Fire Safety, Inc. 13057 Briar Road Azle, TX 76020		-				1,072.55
Subtotal (Total of this page)						28,056.22

8 continuation sheets attached

In re Congress Materials, LLCCase No. 10-37526

Debtor

**SCHEDULE F - CREDITORS HOLDING UNSECURED NONPRIORITY CLAIMS**

(Continuation Sheet)

CREDITOR'S NAME, MAILING ADDRESS INCLUDING ZIP CODE, AND ACCOUNT NUMBER (See instructions above.)	C O D E B T O R	Husband, Wife, Joint, or Community	C O N T I N G E N T	U N L I Q U I D A T E D	D I S P U T E D	AMOUNT OF CLAIM
		DATE CLAIM WAS INCURRED AND CONSIDERATION FOR CLAIM. IF CLAIM IS SUBJECT TO SETOFF, SO STATE.				
Account No.						
Brown & Caldwell 201 East Washington Street Phoenix, AZ 85004	-					24,803.30
Account No.		Claim Acquired from Aldinger Company in Green Aggregates Bankruptcy				
Chiron Equities, LLC 1001 Fannin Street Suite 4775 Houston, TX 77002	-					8,809.00
Account No.		Claim acquired from Estate of Elizabeth Wilkins in Green Aggregates Bankruptcy				
Chiron Equities, LLC 1001 Fannin Street Suite 4775 Houston, TX 77002	-					369,603.00
Account No.		Claim acquired from Haynes & Boone in Green Aggregates Bankruptcy				
Chiron Equities, LLC 1001 Fannin Street Suite 4775 Houston, TX 77002	-					83,121.16
Account No.		Claim acquired from Hill County Environmental in Green Aggregates Bankruptcy				
Chiron Equities, LLC 1001 Fannin Street Suite 4775 Houston, TX 77002	-					18,358.00
Sheet no. <u>1</u> of <u>8</u> sheets attached to Schedule of Creditors Holding Unsecured Nonpriority Claims						Subtotal (Total of this page)
						504,694.46

In re Congress Materials, LLCCase No. 10-37526

Debtor

**SCHEDULE F - CREDITORS HOLDING UNSECURED NONPRIORITY CLAIMS**

(Continuation Sheet)

CREDITOR'S NAME, MAILING ADDRESS INCLUDING ZIP CODE, AND ACCOUNT NUMBER (See instructions above.)	C O D E B T O R	Husband, Wife, Joint, or Community	C O N T I N G E N T	U N L I Q U I D A T E D	D I S P U T E D	AMOUNT OF CLAIM	
		H W J C					DATE CLAIM WAS INCURRED AND CONSIDERATION FOR CLAIM. IF CLAIM IS SUBJECT TO SETOFF, SO STATE.
Account No.		Claim acquired from Holt Equipment in Green Aggregates Bankruptcy				216,576.00	
Chiron Equities, LLC 1001 Fannin Street Suite 4775 Houston, TX 77002	-						
Account No.		Claim acquired from Massey, Itschner & Co., PC in Green Aggregates Bankruptcy				18,618.00	
Chiron Equities, LLC 1001 Fannin Street Suite 4775 Houston, TX 77002	-						
Account No.		Claim acquired from RAI/CCS in Green Aggregates Bankruptcy				288,000.00	
Chiron Equities, LLC 1001 Fannin Street Suite 4775 Houston, TX 77002	-						
Account No.						128,000.00	
Citibank P.O. 5870 Grand Central Station New York, NY 10163	-						
Account No.						Unknown	
Collin County 2300 Bloomdale Rd Suite 3100 McKinney, TX 75071	-			X			
Sheet no. <u>2</u> of <u>8</u> sheets attached to Schedule of Creditors Holding Unsecured Nonpriority Claims						Subtotal (Total of this page)	651,194.00

In re Congress Materials, LLC

Case No. 10-37526

Debtor

**SCHEDULE F - CREDITORS HOLDING UNSECURED NONPRIORITY CLAIMS**

(Continuation Sheet)

CREDITOR'S NAME, MAILING ADDRESS INCLUDING ZIP CODE, AND ACCOUNT NUMBER (See instructions above.)	C O D E	D E B T O R	Husband, Wife, Joint, or Community		C O N T I N G E N T	U N L I Q U I D A T E D	D I S P U T E D	AMOUNT OF CLAIM
Account No.								
Dial Lubricants P.O. Box 540607 Dallas, TX 75354-0607	-							7,961.16
Account No.								
Farley Electric 3090 S State Highway 101 Bridgeport, TX 76426	-						X	519.60
Account No.								
First KT Lending, LLC 1001 Fannin Street Suite 4775 Houston, TX 77002	-							547,000.00
Account No.								
GW Van Keppel Lock Box 879515 Kansas City, MO 64187-9515	-							31,900.00
Account No.								
Holt Equipment PO Box 911975 Dallas, TX 75391-1976	-							3,703.94
Subtotal (Total of this page)								591,084.70

Sheet no.   3   of   8   sheets attached to Schedule of Creditors Holding Unsecured Nonpriority Claims



In re Congress Materials, LLCCase No. 10-37526

Debtor

**SCHEDULE F - CREDITORS HOLDING UNSECURED NONPRIORITY CLAIMS**

(Continuation Sheet)

CREDITOR'S NAME, MAILING ADDRESS INCLUDING ZIP CODE, AND ACCOUNT NUMBER (See instructions above.)	C O D E B T O R	Husband, Wife, Joint, or Community	C O N T I N G E N T	U N L I Q U I D A T E D	D I S P U T E D	AMOUNT OF CLAIM
		DATE CLAIM WAS INCURRED AND CONSIDERATION FOR CLAIM. IF CLAIM IS SUBJECT TO SETOFF, SO STATE.				
Account No.						
IRS - Employer PO Box 21127 Philadelphia, PA 19115	-					132,176.08
Account No.						
ISSI P O Box 798012 St.Louis, MO 63179-8001	-					9,214.32
Account No.						
JTM Materials P O BOX 2946 Denton, TX 76203	-				X	15,525.00
Account No.						
KT Foods 1520 Sabine Port Arthur, TX 77642	-					58,301.00
Account No.						
McCalip & Company, Inc. 3011 LBJ Fwy Suite 1212 Dallas, TX 75234	-					4,728.97
Sheet no. <u>4</u> of <u>8</u> sheets attached to Schedule of Creditors Holding Unsecured Nonpriority Claims						Subtotal (Total of this page)
						219,945.37

In re Congress Materials, LLCCase No. 10-37526

Debtor

**SCHEDULE F - CREDITORS HOLDING UNSECURED NONPRIORITY CLAIMS**

(Continuation Sheet)

CREDITOR'S NAME, MAILING ADDRESS INCLUDING ZIP CODE, AND ACCOUNT NUMBER (See instructions above.)	C O D E B O R	Husband, Wife, Joint, or Community	C O N T I N G E N T	U N L I Q U I D A T E D	D I S P U T E D	AMOUNT OF CLAIM
		DATE CLAIM WAS INCURRED AND CONSIDERATION FOR CLAIM. IF CLAIM IS SUBJECT TO SETOFF, SO STATE.				
Account No.						
Metroplex Welding 801 East Northside Drive Fort Worth, TX 76102-1017	-				X	3,804.98
Account No.						
Mine Safety and Health 1100 Wilson Blvd. Room 2508 Arlington, VA 23649-7616	-				X	44,863.91
Account No.						
Office of the US Trustee 615 E Houston St Suite 533 San Antonio, TX 78205	-					42,119.00
Account No.						
On-Site Fuel 1080 A Old Fannin Rd Brandon, MS 39047	-					52,321.50
Account No.						
Oppenheimer, Blond, Harrison & Tate 711 Navarro 6th Floor San Antonio, TX 78205	-					55,000.00
Sheet no. <u>5</u> of <u>8</u> sheets attached to Schedule of Creditors Holding Unsecured Nonpriority Claims						
						Subtotal (Total of this page)
						198,109.39

In re Congress Materials, LLCCase No. 10-37526

Debtor

**SCHEDULE F - CREDITORS HOLDING UNSECURED NONPRIORITY CLAIMS**

(Continuation Sheet)

CREDITOR'S NAME, MAILING ADDRESS INCLUDING ZIP CODE, AND ACCOUNT NUMBER (See instructions above.)	C O D E B O R	Husband, Wife, Joint, or Community	C O N T I N G E N T	U N L I Q U I D A T E D	D I S P U T E D	AMOUNT OF CLAIM
		DATE CLAIM WAS INCURRED AND CONSIDERATION FOR CLAIM. IF CLAIM IS SUBJECT TO SETOFF, SO STATE.				
Account No.  Pan America Electric, Inc. P O Box 359 Davis, OK 73031	-				X	6,538.87
Account No.  Patriot Bank 7500 San Felipe Houston, TX 77063	-					0.00
Account No.  Pitney Bowes Global Financial Svc P O BOX 856460 Louisville, KY 40285-6460	-					5,718.57
Account No.  RDO Equipment Co. P O Box 200047 Dallas, TX 75321	X -					38,515.69
Account No.  Star Tire Company 10953 Harry Hines Blvd Ft Worth, TX 76102	-					20,188.20
Sheet no. <u>6</u> of <u>8</u> sheets attached to Schedule of Creditors Holding Unsecured Nonpriority Claims						Subtotal (Total of this page)
						70,961.33

In re Congress Materials, LLCCase No. 10-37526

Debtor

# **SCHEDULE F - CREDITORS HOLDING UNSECURED NONPRIORITY CLAIMS** (Continuation Sheet)

CREDITOR'S NAME, MAILING ADDRESS INCLUDING ZIP CODE, AND ACCOUNT NUMBER (See instructions above.)	C O D E B O R	Husband, Wife, Joint, or Community	C O N T I N G E N T	U N L I Q U I D A T E D	D I S P U T E D	AMOUNT OF CLAIM
		DATE CLAIM WAS INCURRED AND CONSIDERATION FOR CLAIM. IF CLAIM IS SUBJECT TO SETOFF, SO STATE.				
Account No.						
Sure Tec Bonding 9737 Great Hills Trail Suite 320 Austin, TX 78759	X -					245,000.00
Account No.						
T & W TIRE P O Box 97444 Dallas, TX 75398	-				X	3,628.18
Account No.						
T-K-O Equipment Company 5005 LBJ Freeway Suite 1000 Dallas, TX 75244	X -					80,351.71
Account No.						
Thomas Petroleum PO Box 1969 Dallas, TX 75240	X -					45,387.76
Account No.						
TNT Electric, Inc. 5241 E. Hwy 82 Gainesville, TX 76240	-				X	13,071.14
Sheet no. <u>7</u> of <u>8</u> sheets attached to Schedule of Creditors Holding Unsecured Nonpriority Claims						Subtotal (Total of this page)
						387,438.79

In re Congress Materials, LLCCase No. 10-37526

Debtor

**SCHEDULE F - CREDITORS HOLDING UNSECURED NONPRIORITY CLAIMS**

(Continuation Sheet)

CREDITOR'S NAME, MAILING ADDRESS INCLUDING ZIP CODE, AND ACCOUNT NUMBER (See instructions above.)	C O D E B T O R	Husband, Wife, Joint, or Community	C O N T I N G E N T	U N L I Q U I D A T E D	D I S P U T E D	AMOUNT OF CLAIM
		H W J C				
Account No.						
Wingfoot Commercial Tire 2341 N Masch Branch Rd Suite 424 Denton, TX 76207	-					4,704.22
Account No.						
Winstead, PC 1202 Elm Street Suite 5400 Dallas, TX 75270	-					25,000.00
Account No.						
Account No.						
Account No.						
Sheet no. <u>8</u> of <u>8</u> sheets attached to Schedule of Creditors Holding Unsecured Nonpriority Claims						Subtotal (Total of this page)
						29,704.22
						Total (Report on Summary of Schedules)
						2,681,188.48

In re Congress Materials, LLCCase No. 10-37526

Debtor

**SCHEDULE G - EXECUTORY CONTRACTS AND UNEXPIRED LEASES**

Describe all executory contracts of any nature and all unexpired leases of real or personal property. Include any timeshare interests. State nature of debtor's interest in contract, i.e., "Purchaser", "Agent", etc. State whether debtor is the lessor or lessee of a lease. Provide the names and complete mailing addresses of all other parties to each lease or contract described. If a minor child is a party to one of the leases or contracts, state the child's initials and the name and address of the child's parent or guardian, such as "A.B., a minor child, by John Doe, guardian." Do not disclose the child's name. See, 11 U.S.C. §112 and Fed. R. Bankr. P. 1007(m).

☐ Check this box if debtor has no executory contracts or unexpired leases.

Name and Mailing Address, Including Zip Code, of Other Parties to Lease or Contract	Description of Contract or Lease and Nature of Debtor's Interest. State whether lease is for nonresidential real property. State contract number of any government contract.
City of Garland Finance Dept PO Box 469008 Garland, TX 75046	Real Estate Lease - Garland Plant 3637 Castle Drive, Garland, TX
Congress Recycled Aggregates, LLC 1001 Fannin Street Suite 4775 Houston, TX 77002	Personal Property Lease - 2006 TelSmith 3055 LP-PP_VGF Low Profile Portable Plant, Serial No. 41128
General Electric Capital Corporation 300 E. John Carpenter Freeway Suite 204 Irving, TX 75062-2712	Personal Property Lease - JD 844 loader (S/N: DW844KX626280)
J & W Sand & Gravel 3224 Bryn Mawr Dallas, TX 75225	Real Estate Lease - Mosier Valley Plant 11650 Mosier Valley Road, Eueless, TX
John Deere Credit 6400 NW 86th Street PO Box 6500 Johnston, IA 50131-6600	Personal Property Lease - Four -JD 844 loaders

In re Congress Materials, LLCCase No. 10-37526Debtor**SCHEDULE H - CODEBTORS**

Provide the information requested concerning any person or entity, other than a spouse in a joint case, that is also liable on any debts listed by debtor in the schedules of creditors. Include all guarantors and co-signers. If the debtor resides or resided in a community property state, commonwealth, or territory (including Alaska, Arizona, California, Idaho, Louisiana, Nevada, New Mexico, Puerto Rico, Texas, Washington, or Wisconsin) within the eight year period immediately preceding the commencement of the case, identify the name of the debtor's spouse and of any former spouse who resides or resided with the debtor in the community property state, commonwealth, or territory. Include all names used by the nondebtor spouse during the eight years immediately preceding the commencement of this case. If a minor child is a codebtor or a creditor, state the child's initials and the name and address of the child's parent or guardian, such as "A.B., a minor child, by John Doe, guardian." Do not disclose the child's name. See, 11 U.S.C. §112 and Fed. R. Bankr. P. 1007(m).

☐ Check this box if debtor has no codebtors.

NAME AND ADDRESS OF CODEBTOR	NAME AND ADDRESS OF CREDITOR
Chiron Equities 1001 Fannin Street Suite 4775 Houston, TX 77002	Continental Bank 15 W. South Temple Suite 420 Salt Lake City, UT 84101
Chiron Equities 1001 Fannin Street Suite 4775 Houston, TX 77002	Bank of the Ozarks 17901 Chenal Parkway Little Rock, AR 72223
Chiron Equities 1001 Fannin Street Suite 4775 Houston, TX 77002	Presidential Financial Corp. 3460 Preston Ridge Rd Suit 550 Alpharetta, GA 30005
Chiron Equities 1001 Fannin Street Suite 4775 Houston, TX 77002	T-K-O Equipment Company 5005 LBJ Freeway Suite 1000 Dallas, TX 75244
Congress Sand & Gravel, LLC 14099 N.E. CR 3180 Kerens, TX 75144	Continental Bank 15 W. South Temple Suite 420 Salt Lake City, UT 84101
Congress Sand & Gravel, LLC 14099 N.E. CR 3180 Kerens, TX 75144	Presidential Financial Corp. 3460 Preston Ridge Rd Suit 550 Alpharetta, GA 30005
Jay Krasoff 1001 Fannin Street Suite 4775 Houston, TX 77002	US Bank PO Box 790179 St Louis, MO 63179
Jay Krasoff 1001 Fannin Street Suite 4775 Houston, TX 77002	Continental Bank 15 W. South Temple Suite 420 Salt Lake City, UT 84101
Jay Krasoff 1001 Fannin Street Suite 4775 Houston, TX 77002	Presidential Financial Corp. 3460 Preston Ridge Rd Suit 550 Alpharetta, GA 30005

In re Congress Materials, LLC

Case No. 10-37526

Debtor

## SCHEDULE H - CODEBTORS

(Continuation Sheet)

NAME AND ADDRESS OF CODEBTOR	NAME AND ADDRESS OF CREDITOR
Jay Krasoff 1001 Fannin Street Suite 4775 Houston, TX 77002	Sure Tec Bonding 9737 Great Hills Trail Suite 320 Austin, TX 78759
Jay Krasoff 1001 Fannin Street Suite 4775 Houston, TX 77002	Thomas Petroleum PO Box 1969 Dallas, TX 75240
KT Builders GP, LLC	T-K-O Equipment Company 5005 LBJ Freeway Suite 1000 Dallas, TX 75244
KT Builders, Ltd.	T-K-O Equipment Company 5005 LBJ Freeway Suite 1000 Dallas, TX 75244
Kyle Tauch 1001 Fannin Street Suite 4775 Houston, TX 77002	GE Capital 300 E. John Carpenter Freeway Suite 201 Dora, AL 35062
Kyle Tauch 1001 Fannin Street Suite 4775 Houston, TX 77002	John Deere Credit 6400 NW 86th Street PO Box 6600 Johnston, IA 50131
Kyle Tauch 1001 Fannin Street Suite 4775 Houston, TX 77002	Continental Bank 15 W. South Temple Street Suite 420 Salt Lake City, UT 84101
Kyle Tauch 1001 Fannin Street Suite 4775 Houston, TX 77002	Bank of the Ozarks 17901 Chenal Parkway Little Rock, AR 72223
Kyle Tauch 1001 Fannin Street Suite 4775 Houston, TX 77002	Sure Tec Bonding 9737 Great Hills Trail Suite 320 Austin, TX 78759
Kyle Tauch 1001 Fannin Street Suite 4775 Houston, TX 77002	RDO Equipment Co. P O Box 200047 Dallas, TX 75321



In re    Congress Materials, LLC

Case No.    10-37526

Debtor

SCHEDULE H - CODEBTORS

(Continuation Sheet)

NAME AND ADDRESS OF CODEBTOR	NAME AND ADDRESS OF CREDITOR
Kyle Tauch 1001 Fannin Street Suite 4775 Houston, TX 77002	T-K-O Equipment Company 5005 LBJ Freeway Suite 1000 Dallas, TX 75244

**United States Bankruptcy Court**  
**Northern District of Texas**

In re Congress Materials, LLC  
Debtor(s)

Case No. 10-37526  
Chapter 11

**DECLARATION CONCERNING DEBTOR'S SCHEDULES**

DECLARATION UNDER PENALTY OF PERJURY ON BEHALF OF CORPORATION OR PARTNERSHIP

I, the Manager of Member of the corporation named as debtor in this case, declare under penalty of perjury that I have read the foregoing summary and schedules, consisting of 25 sheets, and that they are true and correct to the best of my knowledge, information, and belief.

Date November 12, 2010

Signature /s/ Jay Krasoff  
Jay Krasoff  
Manager of Member

*Penalty for making a false statement or concealing property:* Fine of up to \$500,000 or imprisonment for up to 5 years or both.  
18 U.S.C. §§ 152 and 3571.